



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

March 23, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

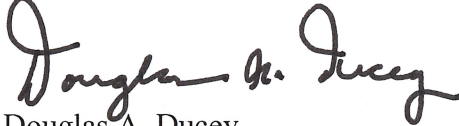
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on March 23, 2018:

SB 1022 DHS; homemade food products (Farnsworth, D.)
SB 1045 home inspectors (Kavanagh)
SB 1052 county flood control districts; easements (Griffin)
SB 1063 produce safety rule; state administration (Griffin)
SB 1077 fund solicitations; charities; unlawful acts (Barto)
SB 1097 unclaimed property; notice; publication; claims (Petersen)
SB 1142 private land acquisition; committee; continuation (Griffin)
SB 1144 conservation easements; notice; valuation (Griffin)
SB 1182 conservation districts; additional directors (Griffin)
SB 1198 blind persons' rights; adoption; custody (Barto)
SB 1246 behavioral health board (Barto)
SB 1249 campaign finance violations; appeals (Burgess)
SB 1255 teachers; alternative performance evaluations (Allen, S.)
SB 1256 school bus definition; vans (Allen, S.)
SB 1412 unclaimed property; electric cooperatives; credits (Griffin)
HB 2005 public service corporations; penalties (Leach)
HB 2007 evasion; crime; personal disguises (Lawrence)
HB 2017 state land department; continuation (Mitchell)
HB 2045 acupuncture board; continuation (Carter)
HB 2124 life and disability insurance; insolvencies (Livingston)
HB 2151 joint powers; fire protection services (John)
HB 2167 Arizona commerce authority; continuation; requirements (Weninger)

HB 2180 fire district budget hearings (Coleman)
HB 2185 school districts; tax levy; calculation (Norgaard)
HB 2189 prisoners; dedicated discharge account; use (Boyer)
HB 2215 veterinary medical examining board; continuation (Barton)
HB 2256 podiatrists; examination; repeal (Carter)
HB 2331 state lottery; multijurisdictional games (Weninger)
HB 2385 property tax appeals; court findings (Clodfelter)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 67
HOUSE BILL 2180

AN ACT

AMENDING SECTION 48-805.02, ARIZONA REVISED STATUTES; RELATING TO FIRE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 48-805.02, Arizona Revised Statutes, is amended
3 to read:

4 48-805.02. Fire district annual budget; levy; requirements

5 A. A fire district shall prepare an annual budget that contains
6 detailed estimated expenditures for each fiscal year and that clearly
7 shows salaries payable to employees of the district. The budget summary
8 shall be posted in three public places and a complete copy of the budget
9 shall be published on the district's official website for AT LEAST twenty
10 days before a public hearing at a meeting called by the board to adopt the
11 budget. Copies of the budget shall also be available to members of the
12 public on written request to the district. Following the public hearing,
13 the district board shall adopt a budget. A complete copy of the adopted
14 budget shall be posted in a prominent location on the district's official
15 website within seven business days after final adoption and shall be
16 retained on the website for at least sixty months. For any fire district
17 that does not maintain an official website, the fire district may comply
18 with this subsection by posting on a website of an association of fire
19 districts in this state.

20 B. Not more than ten days after the organization of a fire district
21 and not later than August 1 of each year ~~thereafter~~ AFTER THE
22 ORGANIZATION, the chairman of the district board shall submit to the
23 county board of supervisors a budget estimate that contains certifications
24 by item and that specifies the amount of money required for the
25 maintenance and operation of the district for the ensuing year.

26 C. Based on the budget submitted by the district, the board of
27 supervisors shall levy the tax as prescribed in section 48-807,
28 subsection F.

29 D. Every budget adopted by a fire district shall include the
30 following:

31 1. A certification by the chairman and clerk of the district board
32 as to both of the following:

33 (a) That the district has not incurred any debt or liability in
34 excess of taxes levied and to be collected and the money actually
35 available and unencumbered at that time in the district general fund,
36 except for those liabilities as prescribed in section 48-805, subsection
37 B, paragraph 2 and sections 48-806 and 48-807.

38 (b) That the district complies with subsection F of this section.

39 2. For each of the items listed in the budget summary approved
40 pursuant to subsection A of this section, the district shall estimate the
41 revenue or expense for the next two fiscal years. Estimates shall be
42 based on the average increase or decrease of the item for the previous two
43 fiscal years unless more certain information is available to the district.
44 Estimates shall include any applicable levy or rate limitations.

1 3. If a district's total estimate of expenses exceeds its total
2 estimate of revenues for any fiscal year, the district shall undertake a
3 study of merger, consolidation or joint operating alternatives. The study
4 required by this paragraph shall be presented to the fire district board
5 in a special public meeting called for the sole purpose of evaluating the
6 study. The study shall include an identification of districts available
7 for merger, consolidation or joint operations, an analysis of the level of
8 service and cost of service that may be provided to the residents of a
9 merged, consolidated or jointly operated district as compared to the level
10 and cost of service to the residents of the districts without any merger,
11 consolidation or joint operations.

12 E. For any district that amends its budget after its initial
13 adoption, the district board shall hold ~~at least two hearings~~ A PUBLIC
14 HEARING on the PROPOSED revision of the budget. ~~and The PROPOSED revised~~
15 ~~budget must be considered and adopted in a special meeting that is called~~
16 ~~for the adoption of the revised budget IMMEDIATELY FOLLOWING THE PUBLIC~~
17 ~~HEARING ON THE PROPOSAL DURING A PUBLIC MEETING. The special meeting must~~
18 ~~be held one week after the consideration of the revision of the budget THE~~
19 ~~PUBLIC HEARING ON THE PROPOSED REVISED BUDGET MAY BE HELD at a regularly~~
20 ~~scheduled PUBLIC meeting of the board of directors of the district. A~~
21 ~~FIRE DISTRICT THAT PROPOSES TO AMEND ITS BUDGET AFTER ITS INITIAL ADOPTION~~
22 ~~SHALL COMPLY WITH THE POSTING, PUBLISHING AND HEARING NOTICE REQUIREMENTS~~
23 ~~PRESCRIBED IN SUBSECTION A OF THIS SECTION. This subsection does not~~
24 ~~apply to a district organized pursuant to article 3 of this chapter.~~

25 F. When a fire district has adopted a budget and the board of
26 supervisors has levied a fire district tax as provided in subsection C of
27 this section and the district has insufficient monies in its general fund
28 with the county treasurer to operate the district, the chairman of the
29 fire district board of directors, on or after August 1 of each year, may
30 draw warrants, substitute checks or electronic funds transfers for the
31 purposes prescribed in section 48-805 on the county treasurer, payable on
32 November 1 of that year or on April 1 of the succeeding year. The
33 aggregate amounts of the warrants, substitute checks or electronic funds
34 transfers may not exceed ninety percent of the taxes levied by the county
35 for the district's current fiscal year. If the treasurer cannot pay a
36 warrant, substitute check or electronic funds transfer for lack of monies
37 in the fire district general fund, the warrant or substitute check shall
38 be endorsed and registered, or the electronic funds transfer shall be
39 recorded, and the warrant, substitute check or electronic funds transfer
40 shall bear interest and be redeemed as provided by law for county
41 warrants, substitute checks or electronic funds transfers, except that the
42 warrants, substitute checks or electronic funds transfers are payable only
43 from the fire district general fund.

44 G. Any audit, report or review of a fire district made pursuant to
45 section 48-253 shall be presented to the district board by the auditor

1 telephonically or in another live electronic format during a public
2 meeting of the board or, as directed by the board, in person at a public
3 meeting of the board. The district board shall take formal action at the
4 public meeting to review and receive the audit, report or review. The
5 audit, report or review shall include an attestation by the auditor of the
6 district as to all of the following:

7 1. That the district has not incurred any debt or liability in
8 excess of taxes levied and to be collected and the monies actually
9 available and unencumbered at that time in the district general fund
10 except for those liabilities as prescribed in section 48-805, subsection
11 B, paragraph 2 and sections 48-806 and 48-807.

12 2. That the district complies with subsection F of this section.

13 3. Whether the audit, report or review disclosed any information
14 contrary to the certification made as prescribed by subsection D,
15 paragraph 1 of this section.

APPROVED BY THE GOVERNOR MARCH 23, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 23, 2018

Passed the House February 7, 20 18

Passed the Senate March 19, 20 18

by the following vote: 57 Ayes,

by the following vote: 29 Ayes,

0 Nays, 2 Not Voting
1 vacant

McN. [Signature]
Speaker of the House

☒ Pro Tempore

[Signature]
Chief Clerk of the House

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20th day of March, 20 18

at 2:09 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 23rd day of

March 2018

at 10:59 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 23 day of March, 20 18

at 4:45 o'clock P. M.

[Signature]
Secretary of State

H.B. 2180